

1           Q     Was there any particular disgruntlement that  
2     you're aware of relating to KALW?

3           A     In my opinion, I think he saw that other people  
4     were getting advancements and that he felt he was more  
5     deserving of than they were.

6           Q     Would that advancement include General Manager of  
7     the station?

8           A     I don't think he held Jeff Ramirez in high regard.

9           Q     So, perhaps Mr. Lopez, in your opinion, might have  
10    felt that he himself would have been a better General  
11    Manager than Jeff Ramirez?

12          A     He could have had that opinion, I would not be  
13    surprised to find that he held that opinion.

14          Q     Do you know of any comments that Mr. Lopez may  
15    have made to support that opinion?

16          A     Prior to the establishment of Golden Gate Public  
17    Radio, no.

18          Q     After the establishment?

19          A     After the establishment, only in documents I've  
20    seen presented by Golden Gate Public Radio.

21          Q     Do you have an opinion of Mr. Lopez's honesty?

22          A     I don't have any factual incident I can give you  
23    where I would say he has been dishonest.

24          Q     Do you have a basis to judge his reputation for  
25    character?

1           A     I don't have that, no.

2           Q     You mentioned also Deirdre Kennedy as being one of  
3 the members of the GGPR, do you have an opinion as to her  
4 motivation, her participating in the renewal challenge?

5           A     My opinion is that she was a person, again, who  
6 was feeling that she was passed over and not only at KALW  
7 but other broadcast facilities, outlets in the Bay Area, and  
8 this looked like a way to get even.

9           Q     And do you have any comments that she has made  
10 that has helped you formulate that opinion?

11          A     No, I have no, not outside what GGPR has stated in  
12 its complaints. I'm trying to think of motivation for them.

13          Q     You did not mention Dave Evans as a member of  
14 GGPR, perhaps because he had, at a certain point, resigned  
15 from the board. Are you aware that he was one of the  
16 founders of GGPR?

17          A     I never knew that he was an official member of  
18 GGPR.

19          Q     Were you aware that Dave Evans had filed a  
20 declaration that was filed with the GGPR Petition to Deny?

21          A     I wasn't aware of that.

22          Q     To the extent that Mr. Evans might have a  
23 motivation to participate in the challenge of the renewal of  
24 the KALW license, do you have an opinion as to what his  
25 motivation would be?

1           A     My opinion, I believe that he was just upset that  
2     somehow he was feeling persecuted by management when  
3     management was trying to get him to do his job and he wasn't  
4     physically able to do it.

5           Q     Do you have a basis for or had he made any  
6     comments to you about his treatment by SFUSD?

7           A     Not that I can recall specific comments.

8           Q     Bill, we've noticed today that you have developed  
9     a handicap that makes it difficult for you to read certain  
10    documents, and I was wondering if this is a recent  
11    development?

12          A     This is a recent development within this calendar  
13    year.

14          Q     Within this calendar year. So, I can understand  
15    how it's been hard to adjust to that. So, in 2001, Spring  
16    of 2001, when you were inspecting the Public Information  
17    File, as you discussed earlier, you did not have the  
18    impairment that you're currently --

19          A     That's true.

20          Q     Is SFUSD assisting you with accommodations?

21          A     We're in the process right now of looking at  
22    appropriate reasonable accommodation.

23          Q     Is that accommodation under the Americans with  
24    Disabilities Act?

25          A     Correct.

1 Q Do those accommodations include visual aids?

2 A I'm hoping they will, yes.

3 Q Do you have any equipment on your computer that  
4 allows you to read documents more easily?

5 A Yes. I have a program on the computer which  
6 magnifies text to the point where I can read it. I can read  
7 anything given that it's large enough, yes. Or I have good  
8 readers, one or the other.

9 MS. REPP: I would like to show you some  
10 documents, these are on the disk, do you want me to -- I can  
11 enter them into evidence or we can refer to their document  
12 numbers?

13 MR. SHOOK: Why don't you refer to the document  
14 number.

15 MS. REPP: This is for the document request. What  
16 I am referring to are documents that were provided to the  
17 FCC in response to the first request for documents made to  
18 SFUSD, and the documents are numbered KALW 3560 through  
19 3565. And fortunately I may have, I believe, 64 and 65 here  
20 to look at first. If we can go off the record a minute.

21 (Off the record at 3:02 p.m.)

22 (Back on the record at 3:03 p.m.)

23 MS. REPP: We're back on the record. Would you  
24 like a copy?

25 MR. SHOOK: Just put it here and we can both look

1 at it.

2 BY MS. REPP:

3 Q Mr. Helgeson, I am asking you to look at a  
4 document that is among the documents at 3560 to 3565 of the  
5 production request. This document is a Form 323E that has  
6 been completed on behalf of San Francisco Unified School  
7 District, stating, in response to Box 1 on page one, that  
8 all the information furnished is reported as of January 31,  
9 1999. And the second page of the form includes a  
10 verification box with the name of licensee/permittee of San  
11 Francisco Unified School District, title of the signatory is  
12 Executive Director Office of Public Engagement, SFUSD. The  
13 signature block appears to be Jackie Wright, and the date  
14 handwritten is 3/7/2001.

15 Bill, do you know if this document is currently in  
16 the Public Information File of the station?

17 A Yes, I believe it is.

18 Q Did you participate in the creation of this  
19 document?

20 A Of this document, yes, I did.

21 Q Do you recollect when it was prepared?

22 A Late February, in February of 01. I don't recall  
23 the exact date.

24 Q Do you recall what were the circumstances that  
25 caused you to prepare the report at that time?

1           A     Upon my 2000 -- in February 2001, reviewing  
2 documents that were in the Public File, we believe there  
3 should have been a Supplemental Ownership Report for 1999  
4 and I did not see one. So, I took it upon myself to create  
5 this one.

6           Q     Where did you get the information to complete the  
7 box on page two, which provided the names of officers,  
8 members of governing board?

9           A     I very well, I'm not 100 percent certain, I very  
10 well, it only was two years prior, this was in 2001 and  
11 we're looking at who was here in 1999, so probably just from  
12 memory pretty much the same board in 2001 that there was in  
13 1999. As a matter of course we also print the names of all  
14 the board members in our Program Guide each quarter, so I  
15 might have referred to a Program Guide from that period of  
16 time. So, a combination of memory at that point plus  
17 Program Guide most likely.

18          Q     Did you witness the signing of this Ownership  
19 Report?

20          A     I believe Jackie Wright came to the station and  
21 signed it.

22          Q     Do you recollect discussing with Jackie Wright at  
23 the time what the purpose of the report was?

24          A     Yes. And I explained to her that this is a  
25 document that I could not find a copy of and it should have

1       been in the Public File, and said we were creating this.

2           Q     And that's why the document is dated 3/7/2001,  
3       that's when you believe she signed?

4           A     Yes, absolutely.

5           Q     Jackie Wright --

6           A     Jackie Wright didn't start working for the  
7       District until 2001, yes.

8           Q     Okay. I'd like to next have you review another  
9       document which is the Form 323E Ownership Report, it's also  
10      within the documents numbered 3560 to 3565, and this is  
11      entitled, it's an Ownership Report for San Francisco Unified  
12      School District, all information reported, it's furnished as  
13      of July 31, 2000.

14           MS. REPP:   If we could go off the record.

15                    (Off the record at 3:08 p.m.)

16                    (Back on the record at 3:08 p.m.)

17           MS. REPP:   Back on the record.

18           BY MS. REPP:

19           Q     Bill, we are looking at a report dated as of July  
20      31, 2000 for San Francisco Unified School District, Form  
21      323E. Is it your understanding that a copy of this is on  
22      file in the station's Public Information File?

23           A     Yes, it is.

24           Q     Do you recollect the circumstances of the  
25      preparation of this report?

1           A     I recognize that in February 2001, upon inspecting  
2     the Public File I believe there should have been a new  
3     Supplemental Ownership Report filed due to a change in the  
4     makeup of the board, and, at that point, and so I created  
5     this form and Jackie Wright then, presented it to Jackie  
6     Wright to sign.

7           Q     So, you were there when Jackie Wright signed this  
8     document?

9           A     Yes.

10          Q     Most of the Supplemental Ownership Reports for the  
11     District have been dated as of January of the calendar year  
12     to reflect a change in board members, due to elections the  
13     prior November. Do you recollect why this report is dated  
14     as of July 31, instead of a January date?

15          A     Periodically, and I've have to -- I don't recall  
16     but, sometimes a board member would change because they  
17     would resign and there would have to be -- somebody else  
18     would be appointed midterm by the Mayor. And so there would  
19     be a change in the makeup of the board, even though it  
20     wasn't as a result of an election. And I don't recall who,  
21     I'd have to compare this one to the one that would have been  
22     the previous period to find out who that one person was.

23          Q     When you were preparing the report in March of  
24     2001, how would you have known that there was a change in  
25     the board membership back in July of 2000?



1           A     Given that it was less than a year before by that  
2 point, our memory was still pretty good of who was on the  
3 board or who had just become recently on the board. And  
4 also, again, could refer to a Program Guide, since we list  
5 the names of the board members on that Program Guide.

6           Q     Besides putting a copy of this Ownership Report in  
7 the Public Information File, would you have filed it with  
8 the FCC?

9           A     We would have filed it with the FCC.

10          Q     Would you have personally submitted it?

11          A     Perhaps. I don't recall if I did or the General  
12 Manager did.

13          Q     Would you typically have a transmittal letter?

14          A     Not typically. I don't recall other than mailing  
15 it, I don't recall the format for mailing it.

16          Q     And you would have placed this report for 2000 in  
17 the Public Information File in the station on or about March  
18 7, 2001?

19          A     True.

20          Q     A copy thereof?

21          A     Copies, yeah.

22          Q     Where would you have put the original?

23          A     The original would have gone in the envelope to  
24 the FCC.

25          Q     Likewise, going back to the report we just

1 discussed previously in 1999 that was also executed in Marc  
2 of 2000, would you have, in the normal course, submitted a  
3 copy of that report to the FCC?

4 A Not a copy, the original.

5 Q The original.

6 MR. SHOOK: Just for clarification sake, you had  
7 mentioned March 2000 and I take it you meant March 2001.

8 MS. REPP: I did mean March 2001. Thank you.

9 THE WITNESS: I didn't catch that either.

10 BY MS. REPP:

11 Q I want to turn to one more document, which is also  
12 a Form 323E, and the information is furnished, reported as  
13 of January 31, 2001, the signature block on page two is San  
14 Francisco Unified School District, the title is Executive  
15 Director Office of Public Engagement, SFUSD. The signature  
16 appears to be that of Jackie Wright. The date is 3/7/2001.  
17 And there's a signature block, there's a block in response  
18 to members of the governing board that has Arlene Ackerman,  
19 Hernandez, Kelley, Mar, Wynns, Cha, Chen, and Sanchez?

20 A Yes.

21 Q Bill, you're looking at a report that's a Form  
22 323E for which information is provided as of January 31,  
23 2001, which is executed on page two on 3/7/2001. Did you  
24 prepare this report?

25 A This report I prepared.

1           Q     And what were the circumstances of the preparation  
2 of this report?

3           A     Upon reviewing the Public File and what I believe  
4 the documents should have been in there, I believe this  
5 document, I should have been able to find this document but  
6 I did not. So, upon not finding it, we did create this  
7 document, I did.

8           Q     Why did you feel that this document needed to be  
9 created?

10          A     Because there had been a change on the ownership,  
11 there had been a change among the board members, I believe,  
12 from the previous one.

13          Q     When you say you reviewed the Public Information  
14 File, that would have been about February or March of 2001?

15          A     Yes.

16          Q     Did you personally type up this report?

17          A     I believe I personally typed up this report, yes.

18          Q     And again, did you determine the information, I  
19 guess this would have been very fresh in your mind --

20          A     This would have, yes. Effectively, the current  
21 board as of the date Jackie Wright signed it, yes.

22          Q     And you presented this report to Jackie Wright  
23 when she visited KALW on March 7th, 2001?

24          A     I don't -- I'm just -- that's an assumption that  
25 she visited the station. We very well could have taken the

1 information down to her at her office.

2 Q Did you witness Jackie Wright signing this  
3 document?

4 A Yes, I think I remember seeing her sign it.

5 Q And what would you have done with the original?

6 A The original would have been sent to the FCC  
7 address in Washington, and a photocopy would have been put  
8 in the Public File.

9 Q At the same time it was sent?

10 A Yes.

11 Q One other individual who has also provided  
12 information on behalf of GGPR in the form of a declaration  
13 is Michael Johnson. Are you aware of his participation in  
14 the documentation submitted in the renewal challenge?

15 A I understand there was some, he was not, as I  
16 know, a member of GGPR but he signed pieces of paper as part  
17 of their challenge.

18 Q Do you have an opinion as to why Mr. Johnson may  
19 have participated in the renewal challenge?

20 A Mr. Johnson is a talented man who is very  
21 disgruntled. Again, I think he was upset with management of  
22 the radio station and felt he could be doing a better job  
23 than the management that was in place at the time, and felt  
24 he might have been passed, he may unfairly have been passed  
25 over for the job, for management jobs.

1           Q     Do you have an opinion as to Mr. Johnson's  
2 honesty?

3           A     He can very well be, I have no reason to, I have  
4 no specific incident I can report to you that would question  
5 his honesty.

6           Q     And do you have an opinion as to his character?

7           A     His character I don't have any opinion about.

8           MS. REPP: That is it. Any further questions?

9           MR. SHOOK: Of course.

10          THE WITNESS: Of course.

11          BY MR. SHOOK:

12          Q     Ms. Repp asked you, I believe, whether or not you  
13 had prepared or created the three Ownership Reports that she  
14 presented to you for review. And if I remember correctly,  
15 your answer was that yes, you created all three. Is that  
16 the case?

17          A     Yes.

18          Q     Now, I think she also asked you, she may have  
19 actually gone into more detail in terms of how the document  
20 was physically created and did you prepare this on a  
21 computer or did you actually use a typewriter to prepare  
22 these three Ownership Reports?

23          A     I believe it was typewriter.

24          Q     Is that typewriter something that you're the only  
25 person who uses a typewriter or are there other people in

1 the office who would use a typewriter as well?

2 A There has been a typewriter sitting in the front  
3 office there, at least one or two for general use.

4 Q The desk that you have, doe the desk that you have  
5 actually have a typewriter or do you have to get up from  
6 your desk to go someplace --

7 A I've got to get up from my desk to go sit at the  
8 typewriter.

9 Q Okay. We had talked about 1993 and 1995  
10 Supplemental Ownership Reports that had, that were signed  
11 off on in 1997, and the last ones that we saw that we, at  
12 least at this point, believe to be the ones that were in the  
13 Public File and correctly represent the ownership or the  
14 board, the school board of SFUSD in 1993 and 1995, those  
15 reports were signed off on a December of 1997, I believe I  
16 asked you some questions in terms of whether or not you  
17 recall physically preparing those reports. Now, Im showing  
18 you the 1993 report, it appeared as Attachment 2. Is it  
19 your understanding, from looking at this report, that that  
20 was physically typed as opposed to generated from a  
21 computer?

22 A I would have to say given my eyesight I would say  
23 it looks more of a computer generated, doesn't it. What I'm  
24 looking at, from the looks of the text, it looks, it appears  
25 to be computer generated.

1 MS. REPP: And you are looking at the --

2 THE WITNESS: This typed face here.

3 MS. REPP: If you look up there, it goes past the  
4 line.

5 THE WITNESS: Oh, yes, I see this. Where it looks  
6 like it's typed. I'm looking at the line that says San  
7 Francisco Unified School District and the word District  
8 looks like it's gone over the line of the form there,  
9 outside the box.

10 MS. REPP: Bill, you might want to look here on  
11 line C where the Xs are put in.

12 THE WITNESS: I'm sorry where?

13 MS. REPP: Just here in terms of can you see the  
14 markings, Xs?

15 THE WITNESS: Yes.

16 BY MR. SHOOK:

17 Q Having looked at the report, does this help you in  
18 terms of your understanding as to whether or not this  
19 document that you're looking at, Attachment 2 that was given  
20 to us in the Admissions Responses, that's supposed to  
21 reflect the 1993 Ownership Report that was in the station's  
22 files, was that document typed or was that computer  
23 generated?

24 A This would appear to be, this document that I'm  
25 holding in front of me, appears to be typed.

1 Q And with that in mind --

2 A Yes, that's my opinion.

3 Q Okay. With that in mind, does that help you  
4 recall whether or not you had any role in preparing the  
5 original of this document?

6 A No, it doesn't.

7 Q And the reason that I ask is that you had taken it  
8 upon yourself, in February or March of 2001, to actually  
9 type out three different Ownership Reports?

10 A Correct.

11 Q And I was wondering if you had taken similar  
12 action in 1997 to type out the Ownership Report that you're  
13 now looking at?

14 A I wouldn't have, no, because I wasn't the General  
15 Manager at the time. So, I don't recall typing this form  
16 out.

17 Q I'm also showing you a copy of Attachment 4.

18 MS. REPP: Is this the 1995 Ownership Report?

19 MR. SHOOK: Which is the 1995 report.

20 MS. REPP: That was again signed in 1997.

21 THE WITNESS: Okay.

22 BY MR. SHOOK:

23 Q Based on what you know of the SFUSD office  
24 equipment and how documents are generated, would it be your  
25 opinion that the 1995 report that was given to us as



1 Attachment 4 in the Admissions Responses, that that document  
2 was typed?

3 A This appears to me to be a typed document.

4 Q With that in mind, does that help you recall one  
5 way or the other whether or not you typed this document out,  
6 the original of this document?

7 A I don't recall typing this document out.

8 MR. SHOOK: That's all I have.

9 MS. REPP: Would you like to --

10 MR. SHOOK: Do you want the honors? I'm kind of  
11 -- I need to save my breath.

12 MS. REPP: Bill, you have an opportunity to have  
13 the transcript delivered to you for you to review for  
14 errors. Is that -- would that be computer generated?

15 COURT REPORTER: Can we go off record for a  
16 moment?

17 MR. SHOOK: Okay.

18 (Off the record at 3:27 p.m.)

19 (On the record at 3:32 p.m.)

20 MR. SHOOK: Back on the record.

21 MS. REPP: You have an opportunity to have a draft  
22 of the transcript of today's testimony sent to you for  
23 review, and it can be sent by Word documents, you can view  
24 it on your computer, for you to review as to accuracy or  
25 typos.

1 THE WITNESS: Okay.

2 MS. REPP: And you can make any comments and sign  
3 the document, sign your deposition, or you can waive that  
4 and have a document that's produced. It's up to you?

5 THE WITNESS: What is the time to get the document  
6 to review it? I mean --

7 MS. REPP: In terms of how long you'll have to  
8 review and comment on it?

9 THE WITNESS: Yes.

10 MS. REPP: I don't know how long it will be before  
11 the document is generated but say within a week or so we  
12 would expect it to come in.

13 THE WITNESS: Or the other option is just signing  
14 right now without reviewing it?

15 MS. REPP: Basically you waive the right to sign  
16 it.

17 THE WITNESS: Certainly, I would be willing to  
18 waive that right.

19 MS. REPP: Okay.

20 (Thereupon, at 3:35 p.m. the testimony of  
21 William Helgeson was concluded.)

22 //

23 //

24 //

25 //

1 I have read the foregoing pages 197 through  
2 348, and they are a true and accurate record of my  
3 testimony therein recorded, and any changes and/or  
4 corrections appear on the attached errata sheet  
5 signed by me.

6 \_\_\_\_\_  
7 WILLIAM HELGESON

8 Subscribed and sworn to before me  
9 this \_\_\_\_ day of \_\_\_\_\_, 2004.

10 \_\_\_\_\_  
11 Notary Public

12 My Commission expires: \_\_\_\_\_  
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JURISDICTION: \_\_\_\_\_

Before me, the undersigned authority, personally appeared William Helgeson who, after being duly sworn states that she has read the foregoing deposition transcript, and states that she wishes to make the following changes or corrections to this transcript for the following reasons:

[illegible]

The witness states that the deposition transcript, pages 197 through 348, is otherwise true and accurate.

William Helgeson

Subscribed and sworn to before me on  
the \_\_\_\_\_ day of \_\_\_\_\_, 2004.

Notary Public

My Commission Expires: \_\_\_\_\_

REPORTER'S CERTIFICATE

DOCKET NO.: 04-191  
CASE TITLE: SFUSD - Station KALW (FM)  
HEARING DATE: September 28, 2004  
LOCATION: Renne, Sloan, Holtzman & Sakai  
188 The Embarcadero  
San Francisco, California

I hereby certify that the proceedings and evidence  
are contained fully and accurately on the tapes and notes  
reported by me at the hearing in the above case before the  
Federal Communications Commission.

Date: 10/6/04

Christopher Loverro

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